

#4  
Rec'd PCT/PTO 23 MAR 2005

PATENT  
Attorney Docket No. 82291

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
MICHAEL ZIEGLER	)	
	)	
Serial No.: 10/502,137	)	Group Art Unit: Unknown
	)	
Filed: January 11, 2003	)	Examiner: Unknown
	)	
For: METHOD AND APPARATUS	)	
FOR ANALYZING BODY	)	
FLUIDS	)	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, Applicants disclose the following information:

1. U.S. Patent No. 4,710,874, inventor Cinqualbre, issued December 1, 1987;
2. U.S. Patent No. 5,523,560, inventors Manique et al., issued June 4, 1996;
3. U.S. Patent No. 5,763,265, inventors Itsuzaki et al., issued June 9, 1998;
4. U.S. Patent No. 5,914,272, inventors Dufresne et al., issued June 22, 1999;
5. PCT Publication No. WO 99/28724 A1, published June 10, 1999;
6. IDS:KK, "Method and Apparatus for Judging Coagulate Specimen," Patent Abstracts of Japan, vol. 1999, no. 14, 22 December 1999;
7. Matsushita Electric Ind. Co. Ltd., "Equipment for Measuring Quantity of Serum," Patent Abstracts of Japan, vol. 1999, no. 05, 31 May 1999;
8. Meiji Denki Kogyo KK, "Instrument for Measuring Quantity of Serum in Blood-Collecting Test Tube," Patent Abstracts of Japan, vol. 1997, no. 09, 30 September 1997; and
9. Hitachi Ltd., "Instrument and Method for Measuring Serum Quantity," Patent Abstracts of Japan, vol. 2000, no. 23, 10 February 2001.

Copies of documents no. 1 - 4 above are not being provided with this paper since documents no. 1 - 4 are U.S. patents, for which copies are not required. Copies of documents no. 5 - 9 above are provided with this paper. The above-listed documents are listed on the enclosed PTO Form PTO/SB/08A and PTO Form PTO/SB/08B. Applicant respectfully requests that the Examiner consider the above-listed documents and evidence that consideration by making appropriate notations on the enclosed form.

This submission does not represent that a search has been made or that no better prior art exists and does not constitute an admission that the above-listed documents constitute "prior art."

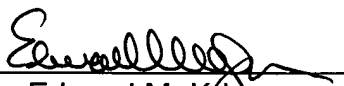
Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the above-listed documents, should the documents be applied against the claims of the present invention.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is required for an extension of time under 37 C.F.R. 1.136 that is not

accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

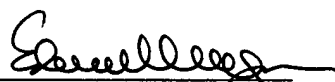
Respectfully submitted,

Kriegsman & Kriegsman

By:   
Edward M. Kriegsman  
Reg. No. 33,529  
665 Franklin Street  
Framingham, MA 01702  
(508) 879-3500

Dated: March 21, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 21, 2005

  
Edward M. Kriegsman  
Reg. No. 33,529  
Dated: March 21, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Complete if Known**

*(Use as many sheets as necessary)*

Sheet

of

Application Number	10/502,137
Filing Date	January 11, 2003
First Named Inventor	Michael Ziegler
Art Unit	
Examiner Name	
Attorney Docket Number	82291

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		WO 99/28724 A1	06-10-1999	Watson et al.		

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND**

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/502,137
		Filing Date	January 11, 2003
		First Named Inventor	Michael Ziegler
		Art Unit	
		Examiner Name	
Sheet		of	
		Attorney Docket Number	82291

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		IDS:KK, "Method and Apparatus for Judging Coagulate Specimen," Patent Abstracts of Japan, vol. 1999, no. 14, 22 December 1999	
		MATSUSHITA ELECTRIC IND CO LTD, "Equipment for Measuring Quantity of Serum," Patent Abstracts of Japan, vol. 1999, no. 05, 31 May 1999	
		MEIJI DENKI KOGYO KK, "Instrument for Measuring Quantity of Serum in Blood-Collecting Test Tube," Patent Abstracts of Japan, vol. 1997, no. 09, 30 September 1997	
		HITACHI LTD, "Instrument and Method for Measuring Serum Quantity," Patent Abstracts of Japan, vol. 2000, no. 23, 10 February 2001	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.